

Regular Session, March 19, 2012, 7:00 p.m.  
Catawba County Board of Commissioners

**Appointments**

Subdivision Review Board	447	03/19/12
Industrial Facilities & Pollution Control Financing Authority	447	03/19/12
Child Protection and Fatality Prevention Team	447	03/19/12
Nursing and Rest Home Advisory Board	447	03/19/12
Partners Behavioral Health Management Board	447	03/19/12

**Awards**

Certificate of Commendation – Sava Turcanu	445	03/19/12
Certificate of Commendation – Franklin Wepner	445	03/19/12
Certificate of Commendation – Government Innovation Team – Steve Lackey, Ralph Dell, Michelle Deese, Valerie Jones	445	03/19/12

**Budget**

Newton-Conover Schools – letter of intent for HVAC units	447	03/19/12
Hickory City Schools – budget transfer and letter of intent – sink hole repair	447	03/19/12

**Information Technology**

2011 Government Innovation Grant Award (GIGA) appropriation	448	03/19/12
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**Ordinance**

Hamby Rezoning Request	445	03/19/12
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**Planning, Parks and Development**

Hamby Rezoning Request	445	03/19/12
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**Public Comments for Items not on the Agenda**

Gerald Bennett	445	03/19/12
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**Public Hearing**

Hamby Rezoning Request	445	03/19/12
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The Catawba County Board of Commissioners met in regular session on Monday, March 19, 2012 at 7:00 p.m. in the Robert E. Hibbitts Meeting Room of the 1924 Courthouse, 30 North College Avenue, Newton, North Carolina.

Present were Chair Katherine W. Barnes and Commissioners Dan A. Hunsucker, Barbara G. Beatty and Randy Isenhower.

Vice-Chair Lynn M. Lail was absent.

Also present were County Manager J. Thomas Lundy, Assistant County Manager Dewey Harris, Assistant County Manager Mary Furtado, County Attorney Debra Bechtel and County Clerk Barbara Morris.

1. Chair Katherine W. Barnes called the meeting to order at 7:00 p.m.
2. Members of Boy Scout Troop 240 from St. Luke's Lutheran Church led the Pledge of Allegiance to the Flag. Chair Barnes also recognized and welcomed Scout Troop 234 from First United Methodist Church in Hickory and Scout Troop 326 from Hopewell United Methodist Church in Sherrills Ford.

3. Commissioner Barbara G. Beatty offered the invocation.
4. Commissioner Dan A. Hunsucker made a motion to approve the minutes from the Board's Regular Meeting of February 20, 2012. The motion carried unanimously.
5. Recognition of Special Guests: Chair Barnes welcomed everyone present and specifically welcomed Commissioner Candidates Steve Hunt, Kevin Spiva and Steve Graves and noted that both Barbara Beatty and Dan Hunsucker were also candidates in the upcoming election. Chair Barnes went on to give the Scouts an overview of Commissioners' roles and how Board meetings were conducted.
6. Public Comments for Items Not on the Agenda:  
Gerald Bennett, who resides on Grace Church Road, presented two complaints he had brought to County staff. The first was in regard to a tax bill he had received and he indicated that this complaint had been resolved by the Tax Collector. The second complaint was in regard to staff's disposition of a code enforcement complaint he had against his neighbor and which, upon staff research, has proven to fall under the legal authority of the North Carolina Department of Environmental and Natural Resources (DENR). Chair Barnes encouraged Mr. Bennett to contact State representatives regarding the issues which fall under State authority and staff has echoed this recommendation in a follow-up letter to Mr. Bennett.
7. Presentations:
  - a. All Board members came forward and presented a Certificate of Commendation to St. Stephens High swimmer Sava Turcanu to recognize him for becoming state champion in the 200 and 500 yard freestyle and commend him for his spirit, motivation and effort. Sava's coach, Leann Privette, joined him at the podium for the presentation.
  - b. All Board members presented a Certificate of Commendation to Newton-Conover High wrestler Franklin Wepner to recognize him for becoming a state wrestling champion in his weight class and commend him for his spirit, motivation and effort. Franklin's mother joined him at the podium.
  - c. All Board members presented Certificates of Commendations to Government Innovation Team members Steve Lackey, Program Analyst; Ralph Dell, GIS Application Specialist; Michelle Deese, GIS Administrator and Valerie Jones, Application Development Administrator. The award commended team members for their insight, ingenuity and vision in developing an innovative use of Quick Response (QR) Codes on building permits in Catawba County. QR codes are a type of barcode, or two-dimensional code, designed to be read by smart phones. When a picture of a QR code is taken with a smart phone, the phone is connected to more information via the internet.
8. Public Hearing:  
Planner Chris Timberlake presented a request for the Board to hold a public hearing and consider a request from David Hamby to rezone approximately 3.7 acres, at 3464 Bethany Church Road in the Catawba Small Area Planning District, from RC Rural Commercial to R-20 Residential. This property is a vacant tract. Two parcels to the north and three to the south are zoned R-20 Residential and developed. Two other parcels to the south are zoned R-20 Residential and undeveloped. Two parcels to the west are zoned RC Rural Commercial and developed, with one housing a commercial establishment owned by the applicant. Two additional parcels to the west are zoned R-20 Residential, with one developed and one undeveloped.

Section 44-517 of the Catawba County Unified Development Ordinance states that the RC Rural Commercial district provides small areas for offices, services, and retail uses, designed in scale with surrounding residential uses. The R-20 Residential district is considered a high density district, compared to other districts, allowing one dwelling per half acre.

Public water is available along Bethany Church Road. Public sewer is not available at this location, which will be served by a private septic system. Bethany Church Road is a minor thoroughfare according to the 2035 Greater Hickory Urban Area Long Range Transportation Plan. The annual Average Daily Traffic count in 2009 along this portion of Bethany Church Road was 3,600 vehicles per day. Based on existing conditions, the roadway is constructed to serve approximately 12,500 vehicles per day. No transportation improvements were recommended at this time.

The Catawba Small Area Plan is the current land use plan for this area. It depicts the subject property as being outside any future commercial node. Staff considered the request to be consistent with the Catawba Small Area Plan and recommended this parcel be rezoned from RC Rural Commercial to R-20 Residential based on the request being consistent with the Small Area Plan and in harmony with the majority of the surrounding residential land uses, and on the R-20 classification.

The Planning Board held a public hearing on February 27, 2012. No one spoke in favor of or against the request. The applicant stated he is interested in establishing his residence on the property. A board member asked about access to the property. The applicant has access off Bethany Church Road and use of an access easement along the southwestern property line. The Planning Board voted, 9-0, to submit a favorable recommendation to the Board of Commissioners to rezone the 3.7 acre parcel from RC Rural Commercial to R-20 Residential based on the staff recommendation noted above.

Chair Barnes opened the public hearing, noting the public hearing had been duly advertised. No one came forward to speak and Chair Barnes closed the public hearing. Commissioner Beatty made a motion to approve the rezoning request adopt the consistency statement and rezoning ordinance. The motion carried unanimously. The following consistency statement and ordinance apply:

#### **ZONING MAP AMENDMENT CONSISTENCY STATEMENT**

On March 19, 2012 the Catawba County Board of Commissioners conducted a public hearing for the purpose of considering a zoning map amendment to PIN 3760-06-39-2729 (Case #RZ2012-1).

Upon considering the matter, the Catawba County Board of Commissioners finds the item to be consistent with the Sherrills Ford Small Area Plan and reasonable for rezoning based upon:

- 1) The request being consistent with the adopted small area plan, and
- 2) The request being in harmony with the surrounding majority of residential land uses and zoning district classification R-20.

The Catawba County Board of Commissioners therefore approves the zoning map amendment. This approval was affirmed by a vote of \_\_\_\_-\_\_\_\_ of the Catawba County Board of Commissioners.

**Ordinance No. 2012-\_\_\_\_\_**

#### **AMENDMENT TO THE CATAWBA COUNTY ZONING MAP**

**BE IT ORDAINED BY THE BOARD OF COMMISSIONERS**, that the Catawba County Official Zoning Atlas is hereby amended by rezoning the following described property from RC Rural Commercial to R-20 Residential.

One parcel totaling 3.7 acres located at 3486 Bethany Church Road in the Catawba Small Area Planning District, Catawba Township, and further identified by Parcel Identification Number 3760-06-39-2729.

#### **PLAN CONSISTENCY STATEMENT:**

Pursuant to NCGS 153A-341, and upon consideration of the recommendations and guiding principles of the Catawba Small Area Plan, the Catawba County Board of Commissioners finds the rezoning request to be consistent with the Small Area Plan and reasonable for rezoning based upon:

- 1) The request being consistent with the adopted small area plan, and
- 2) The request being in harmony with the surrounding majority of residential land uses and zoning district classification R-20.

This, the 19<sup>th</sup> day of March 2012.

9. Appointments:

Chair Kitty Barnes recommended her reappointment to the Subdivision Review Board to expire on December 5, 2012. Chair Barnes also recommended the reappointment of James Mitchell for a sixth term on the Industrial Facilities & Pollution Control Financing Authority and the appointment of Dennis Hurst and Terry Taylor for first terms to this Authority. These terms will expire on March 31, 2018.

Commissioner Beatty recommended the appointment of Bill Long as the Newton-Conover City Schools representative on the Child Protection and Fatality Prevention Team to replace Melanie Elrod, who has retired.

Chair Barnes presented the recommendation of Vice-Chair Lail to reappoint Becky Good, June Martin and Rodney Franklin to the Nursing and Rest Home Advisory Board. Ms. Good's and Ms. Martin's terms will expire on April 3, 2015 and Mr. Franklin's term will expire on April 6, 2015.

Commissioner Randy Isenhower recommended his appointment (Commissioner position) as well as the appointment of Joseph Beaman, Jr. (Financial Expertise position), Ray Von Beatty (clinical professional from mental health field position) and David Isenhower (member at large) to the Partners Behavioral Health Management Board (created by the merger of Mental Health Partners, Pathways LME and Crossroads Behavioral Healthcare). These appointments are effective on July 1, 2012. Mr. Beaman's and Mr. Beatty's terms will expire on June 30, 2013, and Mr. David Isenhower's term will expire on June 30, 2015.

These recommendations came in the form of a motion. The motion carried unanimously.

10. Departmental Reports:

A. Budget.

1. Budget Manager Jennifer Mace presented a request by Newton-Conover City Schools for a letter of intent for funding in the Fiscal Year 2012/13 budget. Newton-Conover City Schools requested \$250,000 to replace six HVAC units at Shuford Elementary School as its top funding priority for Fiscal Year 2012/13. The units were installed when the school was built in the mid 1970s and are in poor shape. This item will be recommended for funding in the County's Fiscal Year 2012/13 budget. The replacements need to be made during the summer while school is not in session and the new school calendar only provides six weeks for the work to be completed. In order to complete the work prior to school resuming in the fall of 2012, the equipment needs to be purchased and ready for installation as soon as school is out for the summer. Commissioner Isenhower stated he was pleased with the use of letters of intent and how they assisted schools with projects. He made a motion to issue the letter of intent. The motion carried unanimously.

2. Budget Manager Jennifer Mace presented a request from the Hickory Public Schools to transfer \$40,926 in funds previously set aside for wheelchair ramp replacement at mobile units to make emergency repairs related to a large sink hole near the Hickory High School baseball field and provide a letter of intent for an additional \$100,000 that will be needed beyond an emergency repair of \$25,000. The school system obtained three bids on repairs to provide a short-term solution and enable the use of the baseball field this spring. The current year budget included funds to replace wheelchair ramps at mobile units which are no longer needed because the school system received a private donation to replace the ramps. A long term problem is that a storm water pipe has eroded and will eventually fall in other areas, creating more sink holes.

The Hickory Public Schools has amended its capital request for next year to make fixing the storm water pipe its top priority, at a projected cost of \$100,000. Commissioner Hunsucker made a motion to approve the requested transfer and to issue a letter of intent. The motion carried unanimously. The following appropriations apply:

Transfer of Appropriation:

420-750100-865200-32150-3-17	Hickory– Mobile Units Replace Ramps	\$40,926
420-750100-856200-32104-3-18	Hickory – HHS Sink Hole Repairs	\$40,926

B. Information Technology.

GIS Administrator Michelle Deese and Application Development Administrator Valerie Jones presented a request for the Board to appropriate \$10,000 received from the 2011 Government Innovation Grant Award (GIGA), to purchase mobile devices and software tools for the purpose of continuing and enhancing the County's online presence. Catawba County won the top GIGA award for 2011 from the UNC School of Government, the Local Government Federal Credit Union, and the North Carolina Local Government Information Systems Association for its innovative use of Quick Response (QR) Codes on building permits issued in the County. QR codes are a type of barcode, or two-dimensional code, designed to be read by smart phones. When a picture of the code is taken with a smart phone, the phone is connected to more information via the internet.

Catawba County was recognized for implementation of a Building Permit QR Codes System, which provides building contractors and inspectors with up-to-the-minute job site and inspection information at their fingertips in the field. The County added QR codes to building services permit placards posted at job sites in order to quickly deliver data via use of a smart phone. The placard codes link to GIS information for the parcel of the building site, and to full permit information on the internet. All data is live and dynamic.

Catawba County has received several awards in the last year related to social media, mobile apps and QR codes. While the Information Technology Department has been very successful in bringing these services to citizens and employees, staff has been hampered by the lack of some necessary tools. Many of the mobile apps were tested on borrowed mobile devices. Some of the software currently being used provides only basic features. Video production has all been accomplished using low end tools. While staff has been very resourceful, they believe they can provide even better services with enhanced tools. Since the award was received for online services, staff felt the grant should be used to further enhance those programs. Commissioner Beatty made a motion to appropriate the grant funds to purchase mobile devices and software tools for the purpose of continuing and enhancing the County's online presence. The motion carried unanimously. Commissioner Hunsucker noted that while the scouts present had heard a complaint earlier from a citizen, this was an example of the excellent work County staff did and he appreciated their efforts. The following appropriations apply:

Budget Revision:

110-410200-682525	SOG grant account	\$10,000
110 410200 870150	Minor IT Equipment	\$10,000

11. Other Items of Business: None.
12. Attorney's Report: County Attorney Debra Bechtel announced that a lawsuit, Simmons et al. vs. John T. McDevitt et al., had been dismissed and no monies were paid by the County in the resolution of this matter.
13. Manager's Report. None.

14. Adjournment. The meeting adjourned at 7:40 p.m.

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Katherine W. Barnes, Chair  
Catawba County Board of Commissioners

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Barbara E. Morris  
County Clerk